| Issue | Classification |
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| Application No. | Applicant(s) |  |
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| 09/481,903      | CHAN ET AL.  |  |
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ORIGINAL

CROSS REFERENCE(S)

YA-WEN HSIAO,

Plaintiff-Appellant,

v.

EUGENE SCALIA, in his capacity as the United States Secretary of Labor,

Defendant-Appellee.

No. 19-16870

D.C. No.

1:18-cv-00502-JAO-KJM

**MEMORANDUM**\*

Appeal from the United States District Court for the District of Hawaii Jill Otake, District Judge, Presiding

Argued and Submitted April 14, 2020 San Francisco, California

Before: PAEZ and CLIFTON, Circuit Judges, and HARPOOL,\*\* District Judge.

Ya-Wen Hsiao, an "alien" within the meaning of 8 U.S.C. § 1101(a)(3), appeals the district court's dismissal of her First Amended Complaint. Hsiao's First Amended Complaint sought review, pursuant to the Administrative Procedure

Case: 19-16870, 07/13/2020, ID: 11750195, DktEntry: 41-1, Page 1 of 5

<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

<sup>\*\*</sup> The Honorable M. Douglas Harpool, United States District Judge for the Western District of Missouri, sitting by designation.